UNITED STATES PATENT AND TRADEMARK OFFICE

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10/533,819	05/03/2005	Takuji Maeda	0074/054001	7784

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/533,819	MAEDA ET AL.
	Examiner	Art Unit	
	JOSHUA BULLOCK	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _13 March 2008_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-14_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _03/13/2008_.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to amendments, arguments, and remarks filed on

March 13, 2008, in which claims 1-14 are presented for further examination.

2.   Claims 1 & 9 have been amended.

3.   Claims 1-14 are pending.

Response to Arguments

4.   With respect to claims 1-14, applicant's arguments filed March 13, 2008, have

been fully considered but they are not persuasive. See response below.

5.   With respect to independent claims 1 & 9, applicant asserts that Moore does not

refer to a case where a plurality of files with the same name exists in the plural

recording media. Examiner respectfully disagrees.   Moore teaches [0135-0136]

metadata regarding files which includes file names therefore it is apparent that

the system of Moore detects when files of the same name exists in recording

media or a file system. Applicant asserts that Moore does not disclose slot

numbers, insertion flags, priority order, and system information. Examiner would

like to point out that the inclusion of insertion flags as a limitation is not present in

claim 9. Applicant is advised to amend limitation to recite such for patentable

consideration. Applicant further asserts that Moore does not disclose that priority

order indicates a priority for use of the slots. Examiner respectfully disagrees

and maintains his position with respect to the same. Applicant argues that Moore

does not disclose that the number of the sets of information is the same as that

of the number of slots that exist within the information processing device where

the sets of information are retained. Examiner would like to point out the

aforementioned limitation is not present in claim 9. Applicant is advised to

amend limitation to recite such for patentable consideration.

6.   With respect to claim 2, applicant asserts that Moore does not disclose the

initialization process of the file system control information. Examiner respectfully

disagrees. Moore teaches [0129] a memory controller for initialization of the file

system [0019].

7.   With respect to claim 3, applicant asserts that Moore does not disclose that the

file system controller sets the priority order of the slots in advance for the

respective slots when the information processing device is turned on. Examiner

respectfully disagrees. Examiner respectfully disagrees and maintains his

position with respect to the same.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

9.   Claims 1-14 are rejected under 35 U.S.C. 102(e) as being unpatentable over

Moore et al. (US Pub. No. 2004/0230599 A1) hereinafter referred to as Moore.

In respect to Claim 1 Moore teaches:

-       **an information processing device to which a plurality of**

information recording media can be simultaneously attached when

said plurality of information recording media exist in which data

stored in an information recording region is managed as a file by

means of an individual file system (A computer system is a

processing device and recording media includes, memory and a variety

of disks which includes magnetic and optical disks. An information

recording region is a storage location in memory or a disk. Moore

teaches [0024] file management using a virtual file system. Moore

illustrates in FIG. 38 a plurality of recording media managed as a file.)

-       **a plurality of slots which are provided in a body of said information**

processing device to attach said respective information recording

media (Slots are locations for adding data. FIG. 38 illustrates indicia of

slots because the must be a location to store the collection of data from

a plurality of sources.)

-       **a system memory which retains file system control information for recognizing individual file systems constructed in said plurality of information recording media and unifying and controlling the individual file systems into a single virtual file system** (Moore illustrates (FIG. 18) a virtual file system in memory which has files systems in a plurality of information recording media.)

-       **a file system controller which manages a priority order concerning utilization of said plurality of information recording media, and which refers to slot information and open information included in said file system control information in response to a request from an application program so as to access a file in a logical information recording region of said information recording media** (Moore teaches [0221] a virtual address bar which refers to the address locations of files, wherein these locations are indicative of slot information. Further Moore teaches [0172] an open folders function, which is indicative of open information via file system control. It is apparent that recording media is utilized as notified by file system controller or the address bar.)

-       **an access controller which accesses a slot and an address designated by said file system controller, and acquires data of a file** (Moore teaches [0222] segments in the address bar for acquiring data of a file, thus the segments of the address bar is an access controller.)

As per Claim 2, Moore teaches:

-   **said file system controller once initializes said file system control
    information in said system memory where a state is initially set for
    said application program in a manner that said information
    recording media are not attached and that all of the files are not
    open, when said information processing device is turned on** (Moore
    teaches [0221] a address bar which controls opening, saving or
    otherwise indicating how a files is to be processed, wherein it is
    apparent all files are not opened when the device is turned on, rather
    files are opened based upon the control of the address bar.)

As per Claim 3, Moore teaches:

-   **said file system controller sets the use priority order of said slots
    in advance for the respective slots when said information
    processing device is turned on** (Moore teaches [0221] an address bar
    for controlling priority concerning utilization. The address bar also
    contains information regarding logical information locations.) (Moore
    teaches [0220] a virtual address selection based upon a hierarchy,
    wherein the hierarchy is indicative of a priority for information recording
    media.)

As per Claim 4, Moore teaches:

-   **said file system controller creates slot information in reference to
    data recorded on a management information region of said**

information recording media and data in a part of a data region and

constructs a part of said file system control information when said

information recording medium is attached to any of said plurality of

slots (Moore teaches [0221] creation of file location or slot information

on the recording medium in a plurality of locations for accessing data.)

As per Claim 5, Moore teaches:

-      **when opening a specific file from said information recording**

medium, said file system controller refers to said slot information

included in said file system control information (Moore teaches

[0221] that the virtual address bar refers to the address location of slot

information of files.)**, accesses all of the information recording media**

attached to the slots in an order based on said priority order

included in said file system control information (Moore teaches

[0218 & 0221] access of recording media based upon the location of file

items.) (Moore teaches [0220] a virtual address selection based upon a

hierarchy, wherein the hierarchy is indicative of a priority for information

recording media.)**, confirms whether or not a file designated by an**

application exists, creates open information when a designated file

is initially discovered, registers a flag that indicates whether or not

a file having the same name exists with file information when the

file having the same name exists in another information recording

medium, and creates a file handle which is related to said open

information (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which relates to open file information. All properties regarding files are stored including name information.)

As per Claim 6, Moore teaches:

-        **when reading out data of a specific file from said information recording medium, said file system controller refers to said open information by using a file handle acquired at the time of file opening from said application, determines which slot information is to be utilized, and gives the obtained slot number to said access controller in order to read out file data required for said application from a specific information recording medium** (Moore teaches [0135 - 0141] creation of handlers related to open information, which determines slot information.)

As per Claim 7, Moore teaches:

-        **when recording file data on said information recording medium, said file system controller refers to said open information by using a file handle acquired at the time of file opening from said application, determines which slot information is to be utilized, and gives the obtained slot number to said access controller in order to record file data produced by said application on a specific information recording medium, and updates the slot information of**

the file system control information retained by said system memory
(Moore teaches [0135 - 0141] creation of handlers related to open
information, which determines slot information.)

As per Claim 8, Moore teaches:

- **when closing a specific file from said information recording**
  medium, said file system controller refers to said open information
  by using a file handle acquired at the time of file opening from said
  application, determines a slot number that is being utilized, and
  gives the obtained slot number to said access controller in order to
  record management information in a management information
  region of said specific information recording medium, and
  initializes the open information of the file (Moore teaches [0135 -
  0141] creation of handlers related to open information, which determines
  slot information.)

In respect to Claim 9, Moore teaches:

- **a file management method for managing data stored in respective**
  information recording regions within a plurality of information
  recording media by means of a file system controller and an access
  controller of an information processing device (A computer system
  is a processing device and recording media includes, memory and a
  variety of disks which includes magnetic and optical disks. An
  information recording region is a storage location in memory or a disk.

Moore teaches [0024] file management using a virtual file system.

Moore illustrates in FIG. 38 a plurality of recording media managed as a

file.) (Moore teaches [0221] controls for access and selection of file data

located at a particular address.)

-       **wherein setting a utilization priority order for a plurality of slots to**

        which said information recording media are attached (Moore

        teaches [0220] a virtual address selection based upon a hierarchy,

        wherein the hierarchy is indicative of a priority for information recording

        media.)

-       **creating slot information in reference to data in a management**

        information region recorded in an information recording medium

        and data in a part of a data region when said information recording

        media are attached to any of said plurality of slots, and producing a

        part of file system control information through said file system

        controller (Slots are locations for adding data. FIG. 38 illustrates indicia

        of slots because the must be a location to store the collection of data

        from a plurality of sources.)

-       **upon opening a specific file from an information recording medium,**

        referring to said slot information included in said file system

        control information and said priority order included in said file

        system control information (Moore teaches [0221] that the virtual

        address bar refers to the address location of slot information of files.),

accessing all of the information recording media attached to the

slots (Moore teaches [0218 & 0221] access of recording media based

upon the location of file items.) (Moore teaches [0220] a virtual address

selection based upon a hierarchy, wherein the hierarchy is indicative of a

priority for information recording media.), **confirming whether or not a**

file that is designated by an application exists, creating open

information when a designated file exists, registering a flag that

indicates whether or not a file having the same name exists with

file information, and thereby, producing the rest of said file system

control information, and thus constructing a unified file system

where individual systems in said plurality of information recording

media are unified through said file system controller (Moore teaches

[0135] a native handling code component, and a handler factory

component. The folder handler is a file handle which relates to open file

information. All properties regarding files are stored including name

information.)

-       **upon reading out data of a specific file from said information**

recording medium, referring to open information of said file system

control information by using a file handle acquired at the time of

file opening from said application, determining which slot

information is to be utilized, and giving the obtained slot number to

said access controller, and thereby reading out file data required

for said application from a specific information recording medium through said file system controller (Moore teaches [0135 - 0141] creation of handlers related to open information, which determines slot information.)

-       **upon recording file data on said information recording medium, referring to said file system control information by using a file handle acquired at the time of file opening from said application determining which slot information is to be utilized, and giving the obtained slot number to said access controller, and thereby recording file data produced by said application in a specific information recording medium, and updating slot information of said file system control information through said file system controller** (Moore teaches [0221] that the virtual address bar refers to the address location of slot information of files.)

As per Claim 10, Moore teaches:

-       **said plurality of information recording media are all managed by the same type of a file system** (Moore illustrates (FIG. 5) file management on the same type of a file system.)

As per Claim 11, Moore teaches:

-       **said plurality of information recording media are managed by different types of file systems** (Moore illustrates (FIGs. 17-18) physical and virtual file systems.)

As per Claim 12, Moore teaches:

- **said file system controller uniquely specifies a file to be accessed on the basis of said priority order from among files having the same name that exist in said plurality of information recording media** (Moore teaches [0220] a virtual address selection based upon a hierarchy, wherein the hierarchy is indicative of a priority for information recording media.)

As per Claim 13, Moore teaches:

- **said file system controller confirms the existence of files having the same name in said plurality of information recording media, and gives the result to said application program** (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which relates to open file information. All properties regarding files are stored including name information.)

As per Claim 14, Moore teaches:

- **said file system controller confirms the existence of files having the same name in said plurality of information recording media, and gives the result to said application program in response to a request from said application program at an arbitrary time point** (Moore teaches [0135] a native handling code component, and a handler factory component. The folder handler is a file handle which

relates to open file information. All properties regarding files are stored

including name information.)

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JOSHUA BULLOCK whose telephone number is

(571)270-1395. The examiner can normally be reached on 7:30am-5pm EST M-

F. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, John Breene can be reached on 571-272-4107. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/J. B. /
Examiner, Art Unit 2162
07/03/2008
/Yicun Wu/
Primary Examiner, Art Unit 2165